IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 17TH JANUARY 2007 / 27TH PAUSHA 1928

OP.No. 32590 of 2000(D)

PETITIONER:

G.ANILKUMAR, VELLIYOTTU PUTHEN VEEDU,
EDAVATTOM, KARUVELI P.O., KOLLAM

BY ADV. SRI.S.ABDUL RAZZAK

RESPONDENTS:

---

1. THE MANAGER, K.S.M.VOCATIONAL HIGHER SECONDARY SCHOOL, EDAVATTOM, KARUVELIL P.O., EZHUKON, KOLLAM

2. THE DIRECTOR, VOCATIONAL HIGHER SECONDARY EDUCATION, THIRUVANANTHAPURAM

*ADDL.R3 IMPLEADED:

*3. P.SHANTI, W/O.LATE KRISHNAN POTTY
'DWARAKA', PAVITHRESWARAM P.O.
KOLLAM DISTRICT.

*IS IMPLEADED AS ADDITIONAL 3RD RESPONDENT AS PER ORDER DATED 17-1-2007 IN C.M.P.NO.46238/2001

BY ADV. SMT.V.P.SEEMANDINI
SRI.K.JAJU BABU

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 17/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P.NO.55690/2000 IN O.P.NO.32590/2000

DISMISSED.

17-1-2007 SD/- KURIAN JOSEPH, JUDGE

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. PHOTO COPY OF APPOINTMENT ORDER NO.E3/3982 DATED 2-4-1996 ISSUED IN FAVOUR OF THE PETITIONER BY THE 1ST RESPONDENT AND ENDORSED BY THE 2ND RESPONDENT.

EXT.P2. PHOTO COPY OF REPRESENTATION DATED 9-5-2000 OF THE PETITIONER SUBMITTED TO THE 1ST RESPONDENT

EXT.P3.	DO.	20-7-2000	DO.
EXT.P4.	DO.	1-9-2000	DO.

/ TRUE COPY /

KURIAN JOSEPH, J.

O.P.No.32590 of 2000

Dated this the 17th day of January, 2007

JUDGMENT

The writ petition is filed with the following prayers:-

> (i) issue a writ of mandamus or other appropriate writ, direction or order directing the 1st respondent to consider the petitioner's claim for promotion from the lower grade post of Peon to the higher grade post of Clerk in the available vacancy in the Aided School under his management and to pass appropriate orders as expeditiously as possible and at any rate within a period of one month.
>
> (ii) issue a writ of mandamus or other appropriate writ, direction or order directing the 2nd respondent to insist for and to accord approval for the petitioner's promotion as Clerk and to afford him all admissible service benefits with retrospective effect from 9-5-2000, the date on which the vacancy in the post of Clerk fell vacant in the Aided School.

In case the petitioner has still any grievance left he may approach the second respondent in which case the matter will be duly considered by the second respondent with notice to the petitioner, the first respondent and any other affected party within a period of four months from the date of production of a copy of the judgment.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

O.P.NO.32590/2000

JUDGMENT

17th January, 2007